

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLARD SANTOS,	:	CIVIL ACTION NO. 1:05-CV-0008
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
BUREAU OF PRISONS and	:	
CRYSTAL SHIVERY, Correctional	:	
Officer, USP Lewisburg,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 14th day of December 2005, upon consideration of plaintiff's motion to amend and supplement his complaint (Doc. 18), and it appearing that, because plaintiff seeks to include information that occurred after the filing of the action, the motion is properly considered a motion to supplement the complaint under FED. R. CIV. P. Rule 15(d), See Owens-Illinois, Inc. v. Lake Shore Land Co., Inc. 610 F.2d 1185, 1188 (3d Cir., 1979)(finding that a supplemental pleading, which refers to events that occurred after the original action was filed, differs from an amendment, which covers matters that occurred before the filing of the original pleading but were overlooked at the time), and it further appearing that the supplemental information plaintiff seeks to include in his complaint is unrelated to the underlying cause of action,¹ Gibbs v. Goord, 2003 WL 22052313, *8 (S.D. N.Y. Sept. 4, 2003)(recognizing that a supplemental pleading is merely a continuation of the complaint, the courts usually insist upon some sort of reasonable relationship between the complaint and the proposed

¹Plaintiff seeks to supplement his complaint with information that defendant Crystal Shivery was charged with Driving While Intoxicated. (Doc. 18, pp. 2, 6).

supplement); see also Robinson v. Shannon, No. Civ. 3:CV-04-2777, 2005 WL 2416116, *2 (M.D. Pa. Sept. 30, 2005) (Vanaskie, C.J.), it is hereby ORDERED that the motion (Doc. 18) is DENIED.

CHRISTOPHER C. CONNER
United States District Judge